

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v.-

LENNY REYES,

Defendant.

24 Cr. 00460 (JHR)

ORDER

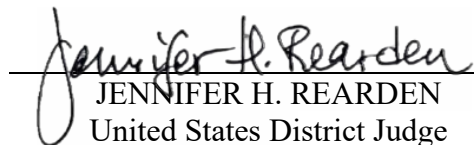
JENNIFER H. REARDEN, District Judge:

In connection with Defendant’s forthcoming change-of-plea proceeding, the Government has submitted to the Court a *Pimentel* letter dated August 10, 2023. The August 10 letter, which purports to set forth the Government’s “current position . . . regarding the application of the United States Sentencing Guidelines (“U.S.S.G.” or “Guidelines”) to [D]efendant,” applies the November 2021 edition of the Guidelines.

To the extent the Government’s position is that the recently promulgated November 2023 edition of the Guidelines applies, *see United States v. Rodriguez*, 989 F.2d 583, 587 (2d Cir. 1993) (“[a] sentencing court must generally apply the version of the Guidelines that is in effect at the time of sentencing”), then by **9:00 a.m. on April 4, 2024**, the Government shall submit a revised *Pimentel* letter reflecting its calculation of Defendant’s Guidelines range under the November 2023 Guidelines, in addition to any other updates bearing on its current position regarding the application of the Guidelines to Defendant’s case.

SO ORDERED.

Dated: April 3, 2024  
New York, New York

  
JENNIFER H. REARDEN  
United States District Judge